

(All counsel listed on signature page)

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GOOD TECHNOLOGY CORPORATION
AND GOOD TECHNOLOGY SOFTWARE,
INC.

Plaintiff,

v.

MOBILEIRON, INC.,

Defendant.

Civil Action No. C-12-05826 PSG

**JOINT STIPULATION AND
[PROPOSED] ORDER REGARDING
BRIEFING PAGE LIMITS AND
CERTAIN OTHER DEADLINES
RELATING TO CASE MANAGEMENT
ORDER**

GOOD TECHNOLOGY CORPORATION
AND GOOD TECHNOLOGY SOFTWARE,
INC.

Plaintiff,

v.

AIRWATCH LLC,

Defendant.

Civil Action No. C-12-05827 PSG

1 Plaintiffs Good Technology Corporation and Good Technology Software, Inc. (collectively
2 “Good”), Defendant Mobile Iron, Inc. (“MobileIron”), and Defendant AirWatch LLC
3 (“AirWatch”) (all four collectively the “Parties”) file this joint stipulation requesting an Order
4 regarding certain briefing page limits, deadlines, and other logistics relating to the Court’s Case
5 Management Order.

6 WHEREAS in these two actions Good alleges infringement by MobileIron and AirWatch
7 of four U.S. patents—U.S. Patent Nos. 6,151,606, 7,702,322, 7,970,386, and 8,012,219 (“Good
8 Patents”)—and, in Case No. C-12-05826, MobileIron alleges infringement by Good of U.S. Patent
9 No. 8,359,016 (“MobileIron Patent”);

10 WHEREAS the Court issued a Case Management Order on April 2, 2014, in the above-
11 captioned cases [Dkt. No. 86 (Case No. 05827); Dkt. No. 89 (Case No. 05826)];

12 WHEREAS the Parties, in an effort to promote efficiency and avoid waste of party and
13 judicial resources, have reached agreement regarding page limits and other logistics regarding the
14 claims construction and indefiniteness summary judgment briefing;

15 WHEREAS the Parties agree that separate deadlines for rebuttal expert reports—in
16 addition to responsive expert reports—are not necessary in these cases;

17 WHEREAS the Parties conferred regarding Good’s statement in the Joint Claim
18 Construction and Pre-Hearing Statement (Dkt. No. 69 (Case No. 05827) at 19; Dkt. No. 72 (Case
19 No. 05826) at 19) that Good would seek judicial correction on certain terms in the Good Patents,
20 and Defendants have determined that they will oppose judicial correction of only one term—“the
21 service” (’386 Patent, Claim 16)—listed in Good’s statement regarding judicial correction.

22 THEREFORE:

23 1. The Parties agree to file their motions for summary judgment regarding
24 indefiniteness¹—with a noticed hearing date of August 22, 2014—on a parallel track with claim

25
26 ¹ The terms to be included in the indefiniteness summary judgment motions were identified by the
27 Parties in their Joint Claim Construction Statement as among the terms being the most significant to
28 the resolution of the case pursuant to Patent L.R. 4-3(c). Defendants will address four terms of the
Good Patents in their summary judgment motion, and Good will address two terms of the

construction briefing², as shown in the chart below:

| EVENT | DATE |
|---|---------------|
| MobileIron and AirWatch file any joint motion for summary judgment of indefiniteness regarding Good Patents | June 23, 2014 |
| Good files any motion for summary judgment of indefiniteness regarding MobileIron Patent | June 23, 2014 |
| Briefs in opposition to motions for summary judgment | July 14, 2014 |
| Reply briefs regarding motions for summary judgment | July 28, 2014 |

2. With respect to the claim construction and indefiniteness-related briefing regarding the Good Patents, the Parties agree to a page limit of 45 pages to be split between the first filed brief regarding claim construction and the first filed brief regarding indefiniteness, such that: (i) Good will have a total of 45 pages to split between its opening claim construction brief and its opposition to Defendants' joint indefiniteness summary judgment brief; and (ii) Defendants will have a total of 45 pages to split between their joint opening indefiniteness summary judgment brief and their joint responsive claim construction brief. The Parties further agree to reply page limits as follows: 18 pages for the reply brief regarding claim construction; and 10 pages for the reply brief regarding the motion for summary judgment of indefiniteness.

3. With respect to the briefing regarding the MobileIron Patent, the Parties agree to a page limit of 35 pages to be split between the first filed brief regarding claim construction and the first filed brief regarding indefiniteness, such that: (i) MobileIron will have a total of 35 pages to split between its opening claim construction brief and its opposition to Good's indefiniteness MobileIron Patent in its summary judgment motion.

² The parallel dates for claim construction briefing remain as stated in the April 2, 2014 Case Management Order.

1 summary judgment brief; and (ii) Good will have a total of 35 pages to split between its opening
2 indefiniteness summary judgment brief and its responsive claim construction brief. Good and
3 MobileIron further agree to reply page limits as follows: 10 pages for the reply brief regarding
4 claim construction; and 5 pages for the reply brief regarding the motion for summary judgment of
5 indefiniteness.

6
7 4. The Parties agree that the “Rebuttal Expert Reports” deadline provided in the
8 Court’s April 2, 2014 Case Management Order, which follows the “Responsive Expert Reports”
9 deadline, is not necessary in these cases and may be removed. However, the Parties do not waive
10 their ability to seek leave to supplement expert reports from the Court using the normal procedures
11 for doing so.

12 5. Good will raise any request for judicial correction of the disputed claim phrase “the
13 service” (’386 Patent, Claim 16) in its opening claim construction brief, and Good’s request is
14 expected to be opposed by Defendants. No later than July 14, 2014, Good will file an unopposed
15 motion for judicial correction of the other terms (*i.e.*, other than “the service”) listed on page 19 of
16 the previously-filed Joint Claim Construction and Pre-Hearing Statement (Dkt. No. 69 (Case No.
17 05827) at 19; Dkt. No. 72 (Case No. 05826) at 19), as Defendants do not contest correction of
18 those other terms.

McKool Smith Hennigan, P.C.
255 Shoreline Drive, Suite 510
Redwood Shores, CA 94065

Dated: May 27, 2014

Respectfully submitted,

McKOOL SMITH HENNIGAN, P.C.

By: /s/ Craig Tolliver

Courtland L. Reichman (SBN 268873)
McKOOL SMITH HENNIGAN, P.C.
255 Shoreline Drive, Suite 510
Redwood Shores, CA 94065
Telephone: (650) 394-1401
Facsimile: (650) 394-1422

Steven J. Pollinger (*pro hac vice*)
Craig N. Tolliver (*pro hac vice*)
Geoffrey L. Smith (*pro hac vice*)
McKOOL SMITH, P.C.
300 West 6th Street, Suite 1700
Austin, Texas 78701
Telephone: (512) 692-8700
Facsimile: (512) 692-8744

Robert J. Muller (SBN 189651)
Douglas P. Roy (SBN 241607)
CYPRESS LLP
11111 Santa Monica Blvd., Suite 500
Los Angeles, CA 90025
Telephone: (424) 901-0123
Facsimile: (424) 750-5100

Attorneys for Plaintiffs
Good Technology Corporation and
Good Technology Software, Inc.

Dated: May 27, 2014

ORRICK, HERRINGTON & SUTCLIFFE, LLP

/s/ Lillian J. Mao

I. Neel Chatterjee (State Bar No. 173985)
nchatterjee@orrick.com
Vickie L. Feeman (State Bar No. 177487)
vfeeman@orrick.com
Lillian J. Mao (State Bar No. 267410)
lmao@orrick.com
ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
Menlo Park, California 94025
Telephone: +1-650-614-7400
Facsimile: +1-650-614-7401

McKool Smith Hennigan, P.C.
255 Shoreline Drive, Suite 510
Redwood Shores, CA 94065

Attorneys for Defendant Mobile Iron, Inc.

Dated: May 27, 2014

MORRISON & FOERSTER LLP

By: /s/ Brooks M. Beard

Brooks M. Beard

Rachel Krevans (SBN 116421)
Brooks M. Beard (SBN 181271)
Richard S.J. Hung (SBN 197425)
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482
rkrevans@mofo.com

Robert J. Artuz (SBN 227789)
KILPATRICK TOWNSEND & STOCKTON LLP
1080 Marsh Road
Menlo Park, CA 94025
Telephone: (650) 326-2400
Facsimile: (650) 326-2422
Email: rartuz@kilpatricktownsend.com

Benjamin M. Kleinman-Green (SBN 261846)
KILPATRICK TOWNSEND & STOCKTON LLP
Eighth Floor
Two Embarcadero Center
San Francisco, CA, 94111
Telephone: (415) 576 0200
Facsimile: (415) 576 0300
Email: bkleinman-green@kilpatricktownsend.com

Susan A. Cahoon (*pro hac vice*)
KILPATRICK TOWNSEND & STOCKTON LLP
1100 Peachtree Street, Suite 2800
Atlanta, GA 30309
Telephone: (404) 815-6500
Facsimile: (404) 815-6555
Email: scahoon@kilpatricktownsend.com

**Attorneys for Defendant
AIRWATCH LLC**

Attestation of Signatures

I, Craig Tolliver, attest that the concurrence in the filing of this document has been obtained from the other signatories, which shall serve in lieu of their signatures.

/s/ Craig Tolliver

PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.

Dated: _____

HON. PAUL S. GREWAL
UNITED STATES MAGISTRATE JUDGE

McKool Smith Hennigan, P.C.
255 Shoreline Drive, Suite 510
Redwood Shores, CA 94065